

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.V.M.P.No.1273 of 2016

in

W.P.M.P.No.5292 of 2016

in

W.P.No.4130 of 2016

and

W.P.No.4130 of 2016

ORDER:

This Writ Petition has been filed challenging the proceedings dt.28-12-2015 of the 2nd respondent furnishing copy of the Enquiry Report into the charges framed against petitioner on 14-08-2015 and directing the petitioner to submit his representation to the contents of the Enquiry Report and show cause why major penalty should not be imposed on him.

2. Though learned counsel for petitioner has sought to raise several contentions on the merits of the findings of the Enquiry Officer as well as the manner of conduct of the enquiry by the Enquiry Officer, I am not inclined to go into the said issue since the petitioner would have the opportunity to place his contention in that regard before the 2nd respondent by responding to the notice dt.28-12-2015 issued by 2nd respondent to him.

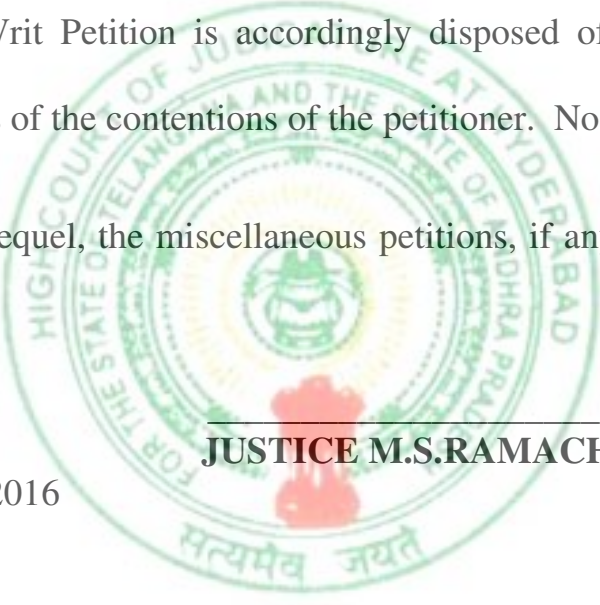
3. However, since the time fixed therein for submitting response has expired, I deem it appropriate, in the facts and circumstances of the case, to grant four (04) weeks time from today to the petitioner submit his response to the notice dt.28-12-2015 issued by 2nd respondent. The memo dt.07-01-2016 (wrongly mentioned as

07-01-2015 in Ex.P-4) treating that the petitioner had no explanation to offer to the notice dt.28-12-2015 is consequently set aside. The 2nd respondent is directed to consider the explanation, if any, submitted by petitioner within the above period to the show cause notice dt.28-12-2015 and pass a reasoned order communicating his decision thereon to the petitioner.

4. W.V.M.P.No.1273 of 2016 is allowed and the stay granted on 15-02-2016 in W.P.M.P.No.5292 of 2016 is vacated.

5. The Writ Petition is accordingly disposed of without going into the merits of the contentions of the petitioner. No costs.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 09-11-2016
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